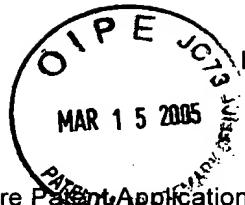


2863

Patent
Attorney Docket No. 007325-077



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAIL STOP AMENDMENT

In re Patent Application of

Frank J. Koch et al.

Application No.: 09/542,640

Filing Date: April 3, 2000

Title: COATING THICKNESS GAUGE

Group Art Unit: 2863

Examiner: HIEN XUAN VO

Confirmation No.: 4650

AMENDMENT/REPLY TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

A Petition for Extension of Time is also enclosed.

Terminal Disclaimer(s) and the \$65.00 (2814) \$130.00 (1814) fee per Disclaimer due under 37 C.F.R. § 1.20(d) are also enclosed.

Also enclosed is/are _____

Small entity status is hereby claimed.

Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the \$395.00 (2801) \$790.00 (1801) fee due under 37 C.F.R. § 1.17(e).

Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified above.

Applicant(s) previously submitted _____

on _____
for which continued examination is requested.

Applicant(s) requests suspension of action by the Office until at least _____, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.

A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.

No additional claim fee is required.

An additional claim fee is required, and is calculated as shown below.

AMENDED CLAIMS					
	No. of Claims	Highest No. of Claims Previously Paid For	Extra Claims	Rate	Additional Fee
Total Claims		MINUS =	0	x \$50.00 (1202) =	\$ 0.00
Independent Claims		MINUS =	0	x \$200.00 (1201) =	\$ 0.00
If Amendment adds multiple dependent claims, add \$360.00 (1203)					
Total Claim Amendment Fee					\$ 0.00
<input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Claim Amendment Fee					\$ 0.00
TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT					\$ 0.00

A check in the amount of _____ is enclosed for the fee due.

Charge _____ to Deposit Account No. 02-4800.

Charge _____ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404
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(703) 836-6620

Date: 3-15-05

By William C. Rowland
William C. Rowland
Registration No. 30,888



Patent
Attorney's Docket No. 007325-077

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of) MAIL STOP AMENDMENT
Frank J. Koch et al.)
Application No.: 09/542,640) Group Art Unit: 2863
Filed: April 3, 2000) Examiner: HIEN XUAN VO
For: COATING THICKNESS GAUGE) Confirmation No.: 4650
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RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit that the Official Action dated February 10, 2005 fails to comply with §707.07(f) of the Manual of Patent Examining Procedure. Specifically, the rejections set forth in the Official Action dated February 10, 2005 are substantially the same, if not identical, to the rejections set forth in the Official Action mailed on May 23, 2003.

In response to the Official Action mailed on May 23, 2003, Applicants filed a Reply on August 13, 2003. In response to the Applicants' Reply filed on August 13, 2003, the Examiner withdrew the rejections, except for the rejection of claim 31. However, claim 31 has since been canceled.

In view of the fact that the rejections set forth in the Official Action dated February 10, 2005 have already been addressed by Applicants' Response filed on August 13, 2003, and have been previously been withdrawn, Applicants are of the opinion that the Examiner has not fully responded to the arguments made in the Response filed on August 13, 2003. Accordingly, the outstanding Official Action fails

to comply with §707.07(f) of the Manual of Patent Examining Procedure.

Accordingly, the rejections therein should be withdrawn.

For purposes of completeness, the Examiner is also referred to the remarks filed by the Applicants on August 13, 2003. Such remarks are incorporated herein by reference.

In the event that there are any questions concerning this Response, or the application in general, the Examiner is respectfully urged to telephone the undersigned attorney so that prosecution of the application may be expedited.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: March 15, 2005

By: William C. Rowland
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